IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

EMMA HURD,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:11-CV-1752-M
	§	
BAC HOME LOANS SERVICING, LP,	§	
F/K/A COUNTRYWIDE HOME	§	
LOANS SERVICING, L.P. FOR THE	§	
BENEFIT OF THE J.P. MORGAN	§	
MORTGAGE ACQUISITION TRUST	§	
2006-CW1,	§	
	§	
Defendant.	§	Referred for Pretrial Management

ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on *Bank of America*, *N.A., Successor by Merger to BAC Home Loan Servicing*, *LP's Motion to Dismiss Plaintiff's Petition*, filed August 19, 2012 (doc. 7). No objections were filed. The District Court reviewed the proposed Findings, Conclusions, & Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Bank of America, N.A., Successor by Merger to BAC Home Loan Servicing, LP's Motion to Dismiss Plaintiff's Petition, filed August 19, 2012, is **GRANTED in part** and **DENIED in part**. Accordingly, Plaintiff's claims for the breach of the promise to modify, her promissory estoppel claim, her claim under the Deceptive Trade Practices Act, her wrongful foreclosure claim, her claim to remove cloud on title, her claim for trespass to try title, and her claim for violations of the Real Estate Settlement Procedures Act are **DISMISSED WITH PREJUDICE**.

SIGNED this 29th day of March, 2012.

UNITED STATES DISTRICT JUDGE

NORTHERN DISTRICT OF TEXAS